01-27-03

GP 1632 #12a
1/29/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

GELFAND et al.

Serial No.: 09/672,865

Filed: September 28, 2000

Atty. File No.: 2879-68

For: "REGULATION OF γδ T CELLS TO REGULATE AIRWAY HYPERRESPONSIVENESS"

Group Art Unit: 1632

Examiner: Li, Quan J.

AMENDMENT AND RESPONSE

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I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

TYPED OR PRINTED NAME: KATHLEEN BUSSELL

SIGNATURE: Kathleen Bussell

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This response is filed in response to a non-final Office Action having a mailing date of October 23, 2002. This response is believed to be timely and therefore, no fees are enclosed. In the event that fees are due in connection with this response, please debit Deposit Account No. 19-1970.

Please amend and reconsider the above-identified application as follows.

IN THE CLAIMS:

Please cancel Claims 3, 5-13, 15-16, 20, 21, 34 and 35, without prejudice to or disclaimer of the subject matter therein.

Please amend Claims 1, 2, 4, 14, 17, 22, and 24-28 as follows, without prejudice to or disclaimer of the subject matter therein. Claims 18, 19, 23, and 29-33 are reiterated below without amendment.

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1. (Once Amended) A method to reduce airway hyperresponsiveness in a mammal, consisting essentially of increasing γδ T cell action in a mammal that has, or is at risk of developing, a respiratory condition associated with airway hyperresponsiveness by administering an agent that activates γδ T cells to said mammal.

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2. (Once Amended) The method of Claim 1, wherein said agent is administered so that the number of γδ T cells in the lung tissue of said mammal increases.
